

UNITED STATES DISTRICT COURT
Northern District of California

CISCO VILLALTA,

No. C 12-4717 MEJ

Plaintiff,

**AMENDED ORDER TO SHOW
CAUSE**

v.

BANK OF AMERICA CORP,

Defendant.

On September 17, 2012, Defendant Bank of America Corporation filed a Motion to Dismiss, with a noticed hearing date of October 25, 2012. Dkt. No. 6. Due to service issues, Defendant subsequently requested that the hearing be continued to November 15 to allow Plaintiff Cisco Villalta additional time to respond. The Court granted Defendant's request and ordered Plaintiff to file any opposition by October 25, 2012. Dkt. No. 12. However, Plaintiff failed to file an opposition by October 25. Accordingly, the Court hereby VACATES the November 15 hearing and ORDERS Plaintiff Cisco Villalta to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by November 28, 2012. If a responsive declaration is filed, the Court shall either issue an order based on the declaration or conduct a hearing on December 6, 2012 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Notice is hereby given to Plaintiff that the Court may dismiss the case without a hearing if no responsive declaration is filed. Thus, it is imperative that Plaintiff file a written response by the deadline above.

The December 13, 2012 case management conference and related deadlines are VACATED.

IT IS SO ORDERED.

Dated: November 14, 2012



Maria-Elena James
Chief United States Magistrate Judge